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25 AXURE SOFTWARE SOLUTIONS, INC.

26 UNITED STATES DISTRICT COURT  
27 CENTRAL DISTRICT OF CALIFORNIA  
28 WESTERN DIVISION

IRISE, a California corporation,

Plaintiff,

v.

AXURE SOFTWARE SOLUTIONS,  
INC, a California corporation; and  
INTEGRATED ELECTRICAL  
SERVICES, INC., a Delaware  
corporation,

Defendants.

AND RELATED COUNTERCLAIMS.

Case No.: 2:08-cv-03601 SJO (JWJx)

**AXURE'S EX PARTE  
APPLICATION FOR EXTENSION  
OF PAGE LIMITS FOR MOTIONS  
FOR SUMMARY JUDGMENT**

Hon. S. James Otero

1 Defendant Axure Software Solutions, Inc. ("Axure") hereby applies *ex parte*  
2 for an extension of the Court's page limitations for summary judgment motion  
3 briefs. (Motions for summary judgment are due on June 15, 2009.) Extended page  
4 limits for summary judgment briefs are necessary because the parties intend to file  
5 motions for summary judgment that raise validity/invalidity issues as well as  
6 infringement/non-infringement issues. iRise is currently asserting all 49 claims of  
7 the patent-in-suit against Axure, and as a result the parties' validity/invalidity and  
8 infringement/non-infringement arguments will need to focus on a large number of  
9 different claim elements.

10 Moreover, the Court is not conducting a separate *Markman* proceeding in this  
11 action. There will be no separate claim construction briefs. The parties will have to  
12 frame all claim construction issues in their respective summary judgment motions.  
13 In this regard, all 49 claims of the patent-in-suit are asserted, as noted, and there are  
14 a number of claim terms in dispute, each of which will impact the Court's validity  
15 and infringement determinations.

16 Due to the sheer number of claims, claim terms, and claim construction  
17 disputes, the parties cannot adequately address the issues to be raised by summary  
18 judgment within the 20 page opening/opposition brief limit or the 5 page reply brief  
19 limit set in this Court's Standing Order. Axure thus respectfully requests that this  
20 Court extend page limitations for the parties' motions. Axure believes that  
21 summary judgment matters can be fully covered in opening and opposition briefs  
22 not to exceed 30 pages each, and reply briefs not to exceed 15 pages.

23 iRise has advised that it takes no position on this motion.

24 Dated: June 5, 2009

Respectfully submitted,  
ORRICK, HERRINGTON & SUTCLIFFE LLP

26 /s/ James C. Brooks

27 Attorneys for Defendant  
28 Axure Software Solutions, Inc.

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**PROOF OF SERVICE**

I, Mary L. Smith, declare:

I am more than eighteen years old and not a party to this action. My business address is Orrick, Herrington & Sutcliffe LLP, 4 Park Plaza, Suite 1600, Irvine, California 92614-2558.

On **June 5, 2009**, I served the following document: **AXURE'S EX PARTE APPLICATION FOR EXTENSION OF PAGE LIMITS FOR MOTIONS FOR SUMMARY JUDGMENT**

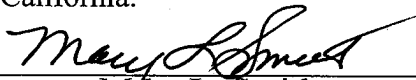
- ☐ by personal service of the document listed above to **Reza Mirzaie, Esq.** at the Los Angeles address set forth below on this date before 5:00 p.m..
- ☐ by placing the document(s) listed above in a sealed envelope with postage thereon fully prepaid, in the United States mail at Irvine, California addressed as set forth below.
- ☒ by email: I transmitted a copy of the document(s) listed above via email to the addressee(s) listed below.

**John W. Holcomb, Esq.**  
**Craig S. Summers, Esq.**  
**Amy C. Chun, Esq.**  
**Reza Mirzaie, Esq.**  
**Kurt F. Meinz, Esq.**  
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I am readily familiar with the firm's practice of collection and processing correspondence for mailing. Under that practice it would be deposited with the U.S. Postal Service on that same day with postage thereon fully prepaid in the ordinary course of business. I am aware that on motion of the party served, service is presumed invalid if postal cancellation date or postage meter date is more than one day after date of deposit for mailing in affidavit.

I declare under penalty of perjury that the foregoing is true and correct and that I am employed in the office of a member of the bar of this court at whose direction the service was made.

Executed on **June 5, 2009**, at Irvine, California.

  
\_\_\_\_\_  
Mary L. Smith